

Staff Summary Report



Hearing Officer Hearing Date: June 27, 2007

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by the **ITS ALL ABOUT ME SPA (PL070235)** located at 930 West Broadway Road for two (2) use permits.

DOCUMENT NAME: 20070627dssd03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **BROADWAY FESTIVAL PLAZA – ITS ALL ABOUT ME SPA (PL070235)** (Rita Macdonald, applicant; Crux Development LLC, property owner) located at 930 West Broadway Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07071 Use permit to allow massage therapy.

ZUP07072 Use permit to allow a permanent cosmetics tattoo process.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning and Zoning Coordinator (480-350-8359)

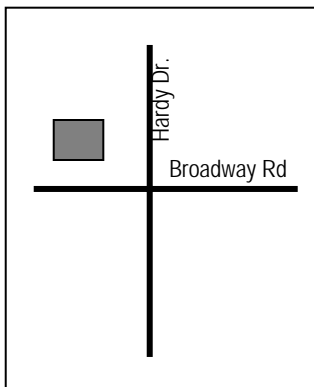
SEA

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-9

ADDITIONAL INFO: It's All About Me Spa is seeking two (2) use permits for massage therapy and permanent cosmetics business located in the PCC-1, Planned Commercial Center Neighborhood District. The proposed uses comply with criteria for approval of a use permit. To date, no public input on this case has been received. Staff recommends approval of the use permit



ATTACHMENTS:

1. List of Attachments
 2. Comments; Reason(s) for Approval
 3. Conditions of Approval; History & Facts
 4. Description; Zoning & Development Code Reference
-
- A. Location Map(s)
 - B. Aerial Photo(s)
 - C. Letter of Intent
 - D. Site plan
 - E. Floor Plan
 - F. Staff Photograph(s)

COMMENTS:

It's All About Me Spa is requesting approval of two (2) use permits. One (1) to allow massage therapy and one (1) to allow permanent cosmetics (tattoo). The proposed business will occupy 1,300 s.f. of the building on the east side of the Broadway Festival shopping center. The property is located at 930 West Broadway Road in the PCC-1, Planned Commercial Shopping and Services District. The floor plan indicates there will be five (5) treatment rooms with a separate equipment sterilization area. The proposed business will be staffed by the two (2) business owners with the hours of operation from eight o'clock (8:00) a.m. to six o'clock (6:00) p.m. Monday through Friday.

To date, staff has received no public input on this case.

Use Permit

The Zoning and Development Code requires use permits for both Massage therapy and Permanent Cosmetics (Tattoo process) in the PCC-1, Planned Commercial Center Neighborhood District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This is a service use, similar to others within the area; there should be no nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the two (2) use permits.

REASON(S) FOR APPROVAL:

1. Traffic generated by this use should not be excessive.
2. There will be no apparent damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
3. The use appears to be compatible with the building, site and adjacent property.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S)
OF APPROVAL:

1. Prior to the Use Permit becoming effective, the establishment must have written procedures on the proper handling and sterilization of equipment and demonstrate that all personnel are trained in the procedures.
2. Prior to the Use Permit becoming effective, all practitioners must have training in blood-borne pathogens and cross-contamination.
3. All business signs shall be Development Review approved and permits obtained prior to installation.
4. The use permit is valid for the plans and business operation as submitted to and approved by the Hearing Officer.
5. This use permit is not transferable. Should the business be sold, the new owners must process through the Hearing Officer for a new use permit.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
7. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
8. Any intensification or expansion of this use shall require that a new use permit be applied for and obtained.
9. The rear exit door shall have a 6" x 6" lexan vision centered at 63" above finish floor (a.f.f.) **By July 27, 2007**

HISTORY & FACTS:

July 21, 1998	<u>BA980193</u> : Use Permit approved for Enterprise Rental Car.
August 9, 2001	<u>CC010048</u> : Use Permit approved for Tailgate Sports Bar.
March 21, 2002	<u>CC020001</u> : Use Permit approved for Tailgate Sports Bar to allow live entertainment.
July 16, 2002	<u>BA020141</u> : Use Permit approved for an outdoor patio for Tailgate Sports Bar.
March 13, 2003	<u>CC030009</u> : Use Permit approved for change of ownership for Tailgate Sports Bar.
November 21, 2006	<u>ZUP06068</u> : Use Permit approved for A & A Smoke II

DESCRIPTION:

Applicant – Rita Macdonald
Owner – Crux Development LLC
Existing zoning – PCC-1, Planned Commercial Center Neighborhood District
Lot Area – 140,271 s.f. / 3.2 acres
Building Area – 34,119 s.f.
Tenant's Suite Area – 1,300 s.f.
Parking Required – Parking by Demand (SGF-2001.54)
Parking Provided – Parking by Demand (SGF-2001.54)

**ZONING AND
DEVELOPMENT**

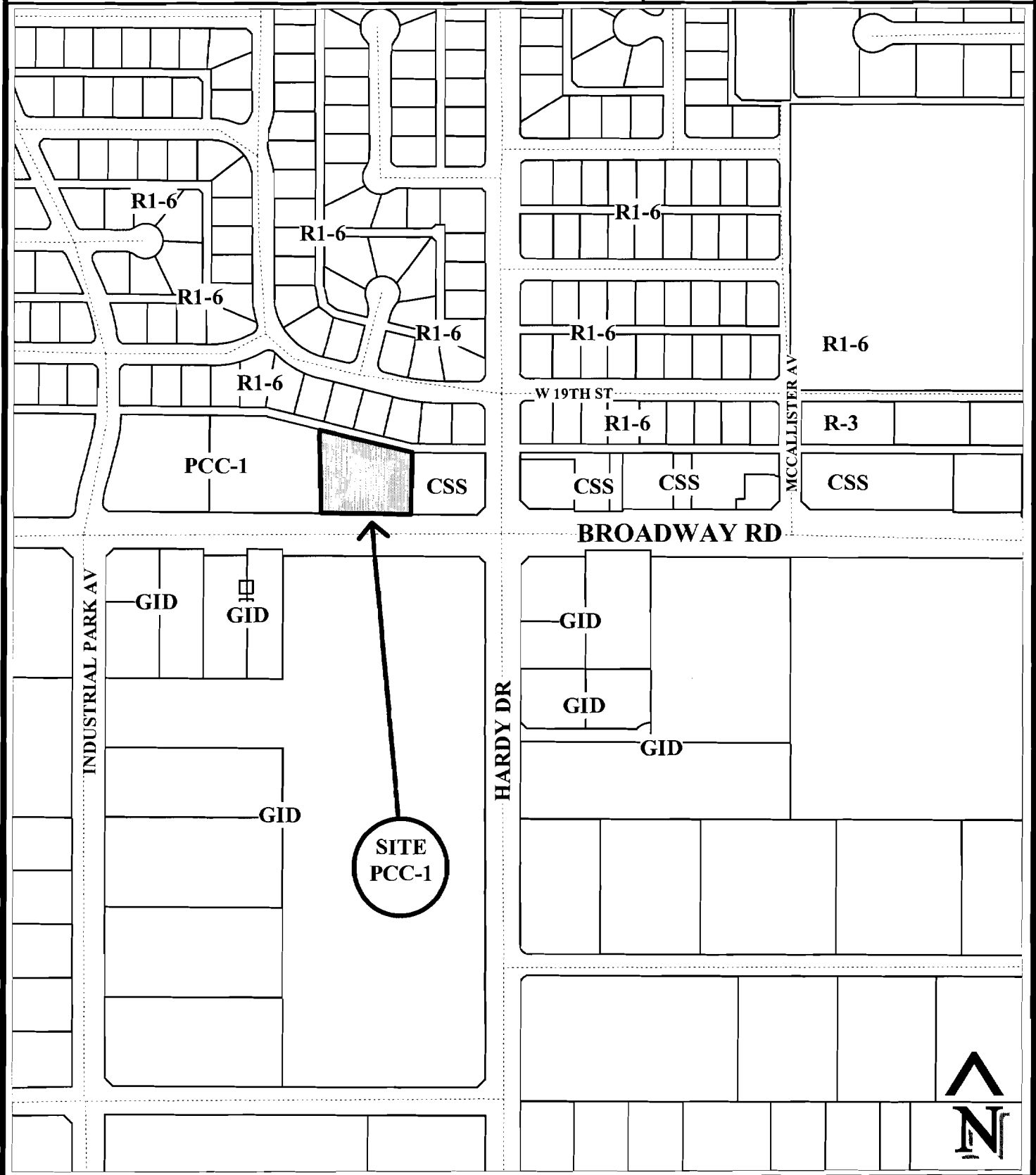
CODE REFERENCE:

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts

Part 6, Chapter 3, Section 6-308 – Use Permit

BROADWAY FESTIVAL PLAZA - IT'S ALL ABOUT ME SPA

PL070235





BROADWAY FESTIVAL PLAZE - ITS ALL ABOUT ME SPA (PL070235)

Daffara, Shawn

Sent: Monday, June 04, 2007 4:15 PM
To: Daffara, Shawn
Subject: Additional info for Eyes By Design

For permanent cosmetic procedure:

Clients spend at least one and a half to two hours at the time of the eyeliner, and eyebrow procedure. The lipliner and full lip procedures take at least two hours, sometimes more, depending on skin and wishes of the client. Touch ups on each procedure are to be done four to six weeks (depending on procedure) after procedure, and are the clients responsibility to schedule. At the time of touch, there might be an extra fee of \$75.00-\$100.00, depending on procedure and wishes of client. This is explained thoroughly to the client at the consultation, before the undergo any procedure, and at the time of the procedure.

Rita Macdonald

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Daffara, Shawn

From: Anthony Moncrief [anthony@marc-anthonymassage.com]

Sent: Tuesday, June 05, 2007 7:39 AM

To: Daffara, Shawn

Subject: Marc-Anthony Massage

Anthony Moncrief has been practicing massage therapy since 2000. He studied Swedish Massage, Sports Massage, Aromatherapy, Therapeutic, Deep Tissue, Myotherapy and Shiatsu at The Bryman School. He was awarded the "ELSEVIER HEALTH SCIENCES AWARD FOR MASSAGE THERAPY." This award was presented in recognition of his outstanding merit in studies. He has also completed studies of Reflexology, Lymphatic Drainage, Pregnancy Massage, Corporate Chair as well as many unique Spa Treatments. The Spa Treatments include Cupping, Paraffin, Hot Stone, Babassu, Herbal Body Wrap, & Salt Glow.

On an average I see 4 clients a day each for approximately 60 minutes. I work Monday - Friday from 8am to 6pm. My Arizona Massage license number is MT-04695P.

Anthony Moncrief LMT

“My commitment, as a permanent cosmetic specialist, is to provide my clients with information they need, while enhancing their eyebrows, eyes, and lips into a natural and pleasing look”-Rita Macdonald

Rita Macdonald has completed forty hours in Permanent Cosmetic Training by one of two Master Artists in the state of Arizona. She attended all classes, had extensive training and passed all tests with the highest marks. She received high praise from her instructor on her excellent grasp of working on live models, in the lips, eyes and eyebrows procedures.

She now has two offices, one in Scottsdale and one in Tempe. She has perfected a more natural looking procedure for the eyebrows, eyes and lips, and is proud that the word has spread in support of her exacting procedures. This is a brief explanation of her procedure checklist.

Pigment is implanted in the dermal layer of the skin using single or multiple sterile, single use needles.

Before treatment clients receive pre-procedure instructions, fill out a Medical History/Release form, and get detailed information on desired procedure.

During procedure, strict hygienic techniques are followed.

The procedure for all clients is carried out by using a mechanical device (rotary machine). All parts that touch the client are disposable and are thrown away.

Needles and caps are sterile single use.

Pigments used for each procedure are disposed of after each use.

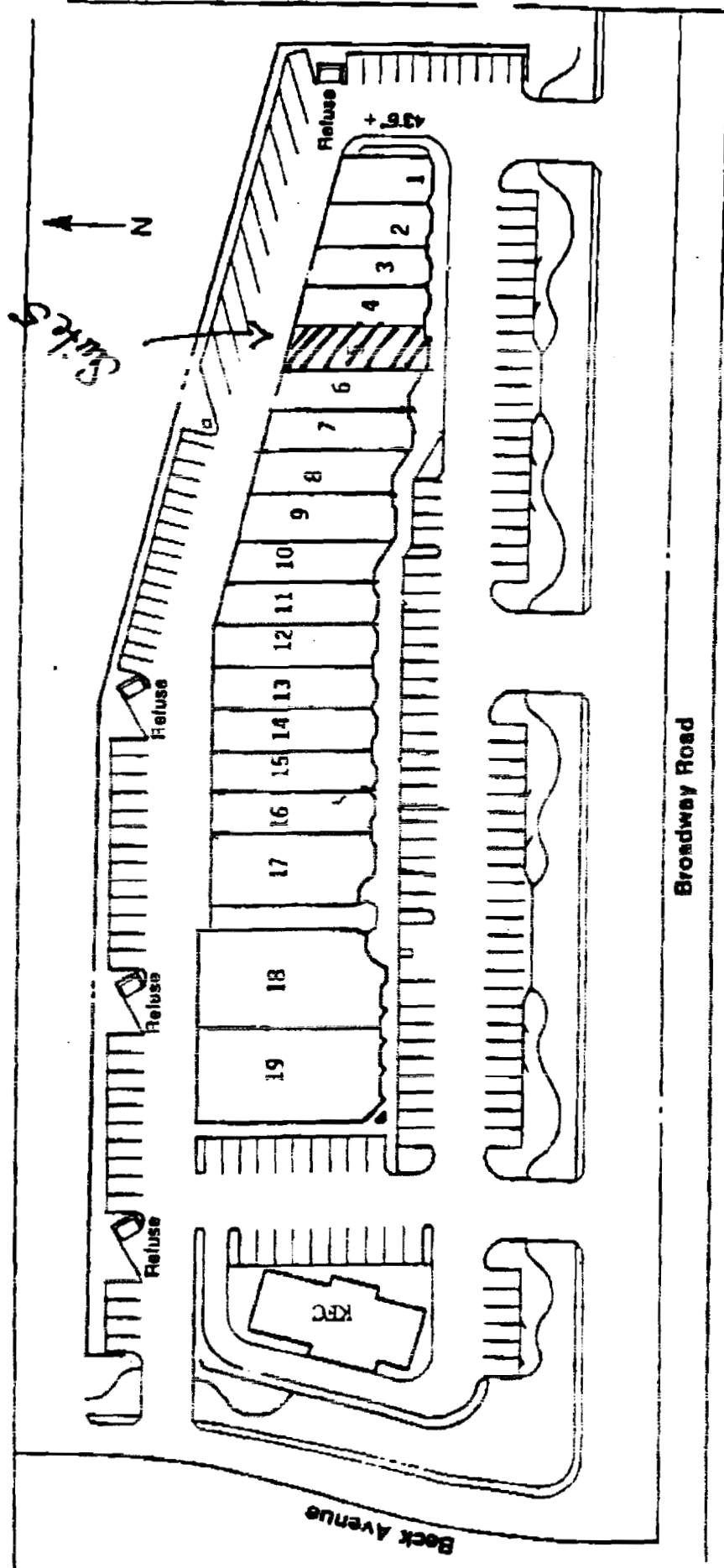
Nitrile gloves are used once and thrown away.

Post procedure is explained to the client in detail and a follow-up is scheduled. Two or three days after procedure, client is called to make sure everything is going well, and to answer any questions they may have.

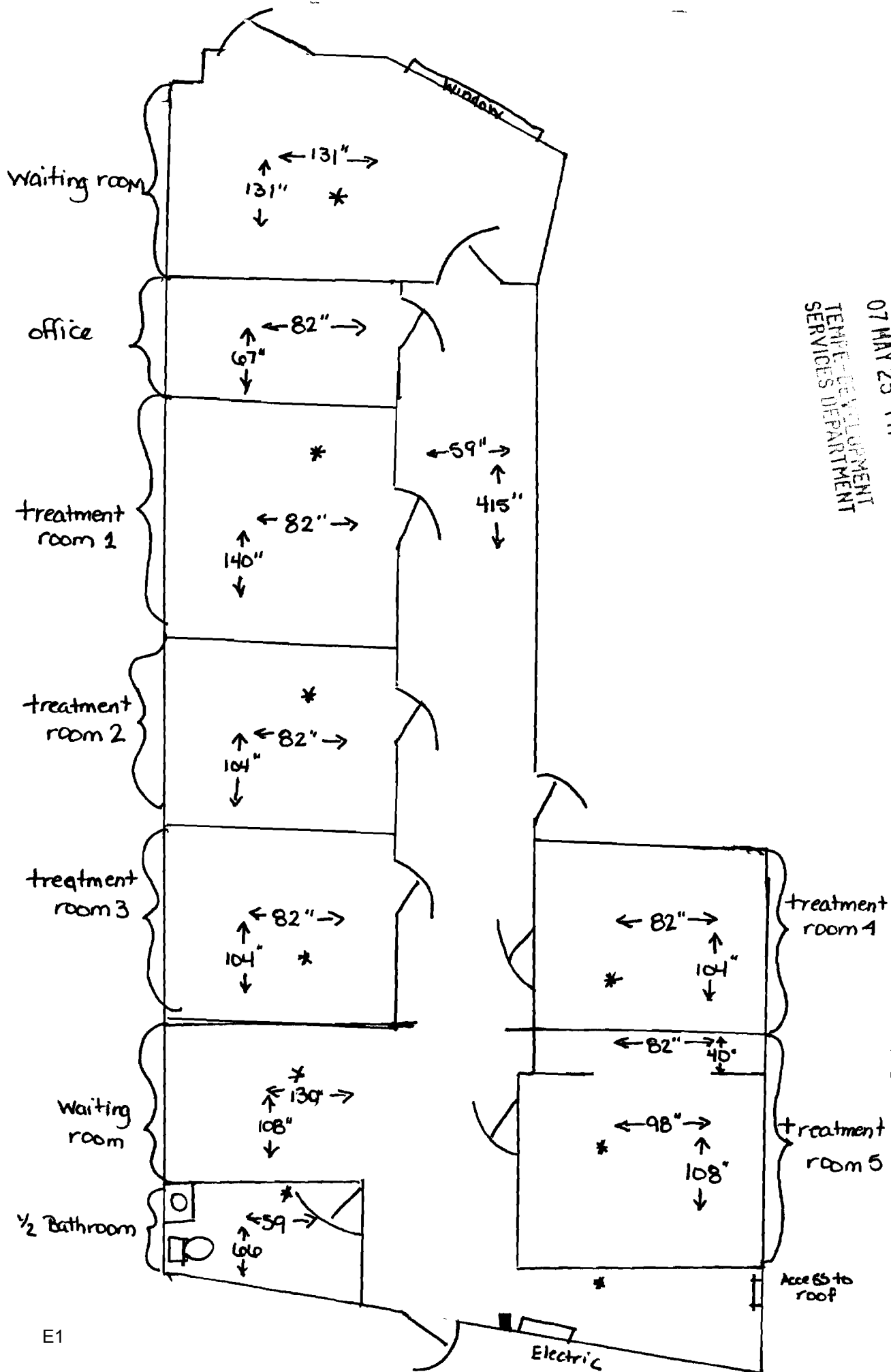
Rita Macdonald strives diligently towards the strictest standards in all of her procedures, for the wellbeing and health of her clients.

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07 MAY 25 PM 1:39
TEMPE-DEVELOPMENT
SERVICES DEPARTMENT

Broadway Festival



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JENNIFER DEPARTMENT
SERVICES DEPARTMENT



* Sprinkler
■ Fire extinguisher



IT'S ALL ABOUT ME SPA

930 W. BROADWAY RD.

PL070235

STORE FRONT: VIEW TO THE NORTH



IT'S ALL ABOUT ME SPA

930 W. BROADWAY RD.

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STORE FRONT: VIEW TO THE NORTH